

REMARKS

On July 12, 2004, the Applicants filed a response to the Final Office Action dated April 26, 2004. However, no advisory action was ever received from the USPTO addressing this response. Therefore, in order to avoid abandonment, the Applicants are submitting this RCE, which sets forth the same arguments made in the response of July 12.

In the Final Office Action, the Examiner rejected claims 1-44 under 35 U.S.C. 103(a) as being unpatentable over Cragun et al. (US 5,973,683) in view of Collings (US 5,828,402). In light of the remarks presented herein, the Applicants respectfully request reconsideration and withdrawal of the Examiner's rejections and allowance of the subject application. No amendments are being made in this response.

Claim Rejections Under 103

1) The Combined References Fail to Disclose All Elements of the Claims

The Applicants respectfully assert that independent claim 1 is allowable because both Cragun and Collings fail to teach, suggest or disclose all the elements of the claim. Specifically, the cited references fail to disclose "disabling the V-chip if the reference time is outside the first finite time range specification."

Cragun fails to disclose "disabling the V-chip" for at least two reasons. First, Cragun fails to explicitly mention disabling the V-chip, or any equivalent thereof, throughout the disclosure. Second, an examination of Fig. 5 shows that Cragun teaches keeping the V-chip enabled at all times. Cragun states that the V-chip is a digital interface for controlling the television display 36 (col. 8, ll. 25-29). Cragun discloses blacking out the television display during specified time intervals. In Fig. 5, a determination is made as to whether the viewer is currently in a blackout period time interval in decision block 79 (col. 13, ll. 35-41). If the viewer is in a blackout period, a NO result is given and the television implements a display control method at block 75. The display control method can include turning off the display at block 78, scrambling the signal at block 101, finding an acceptable station at block 87 or suggesting an alternate activity at block 88. Each of these options involve control of the display and, therefore, the V-chip remains enabled during the blackout period time window.

However, the V-chip also remains enabled even at times outside of the blackout period. Cragun states that the V-chip is also used to decode a broadcaster's encoded rating, compare the decoded rating with the parental settings and block any program that exceeds the parental setting (col. 8, ll. 29-32). Referring back to Fig. 5, if the viewer is outside of a blackout period, a YES result is given, which leads to the decision, at block 81, to compare the user profile with the program profile to determine if the censorship settings are compatible (Fig. 5; col. 13, ll. 47-50). If the settings are compatible, the viewer is permitted to watch the program. If the settings are not compatible, the system again reverts to the display control method (block 75), which can include turning off the display or scrambling the signal etc. (Fig. 5; col. 13, ll. 50-54). In either case, because a content comparison is performed, the V-chip must remain enabled. Thus, Cragun discloses keeping the V-chip in an enabled state at all times, both within and outside of a blackout period.

Collings, like Cragun, also fails to disclose disabling the V-chip. Collings is directed to techniques for selectively blocking content on a television. However, Collings mainly discloses different types of content that can be filtered and fails to discuss disabling a V-chip in any manner.

In contrast, the method recited in claim 1 disables the V-chip once the time period has ended. Any user, such as a parent or adult, can view the consumer electronics device without intrusion from the disabled V-chip (see, for example, application, p. 13, ll. 11-22). Also, if a parent inadvertently leaves the V-chip in a disabled state, automatically re-enabling the V-chip upon the beginning of the next time period reduces the risk that a child will gain access to the television and view restricted programming without consent.

Because all of the cited references fail to teach "disabling the V-chip" as recited in claim 1, the Applicants respectfully request that the rejection to claim 1 be withdrawn. Also, because independent claims 13, 19 and 25 include language similar to that of claim 1, the Applicants respectfully request that the rejections to those claims be withdrawn as well.

2) Response to the Examiner's Assertion in the Office Action that Cragun Discloses Disabling the V-chip

In the office action, the Examiner asserts that Cragun discloses "disabling the V-chip"

because a viewer is denied access within a selected time interval by disabling the V-chip if the reference time is outside the blackout period, or first time range specification (Office Action, pp. 3, 6, 9 and 11). The Applicants respectfully submit that this assertion is incorrect. The Examiner incorrectly equates a non-blackout period with a period where the V-chip is disabled.

Cragun explicitly states that the V-chip decodes a broadcaster's encoded rating, compares the decoded rating with the parental settings and blocks any program that exceeds the parental setting (col. 8, ll. 29-32). Thus, the V-chip performs more functionality than merely blacking out the display. As discussed above with regard to Fig. 5, the V-chip remains enabled even during a non-blackout period. Once the reference time exits the first time range specification and enters a non-blackout period, i.e., when the system reaches decision block 81, the parental settings are compared with the decoded ratings to determine if the content exceeds the allowable level (Fig. 5; col. 13, ll. 47-50). Because any content comparison requires use of the V-chip, Cragun therefore discloses keeping the V-chip enabled even when the system is in a non-blackout period.

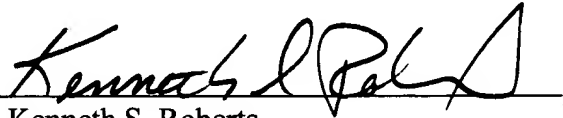
Conclusion

The Applicant's respectfully submit that independent claims 1, 13, 19 and 25 are in condition for allowance. Furthermore, because dependent claims 2-12, 14-18, 20-24 and 26-44 depend therefrom, respectively, the Applicant's respectfully submit that these claims are in like condition for allowance. Accordingly, reconsideration and allowance of the application is requested. If the Examiner has any questions or comments, the Examiner is invited to call the undersigned at (949) 567-6700.

Respectfully submitted,

ORRICK, HERRINGTON & SUTCLIFFE LLP

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By: 
Kenneth S. Roberts
Reg. No. 38,358

4 Park Plaza, Suite 1600
Irvine, CA 92614-2558
Tel. 949-567-6700
Fax: 949-567-6710